

**STATE OF MARYLAND
OFFICE OF PEOPLE'S COUNSEL**

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BILL NO:	HOUSE BILL 1314 Public Service Commission – Public Service Commission - Definition
COMMITTEE:	Economic Matters
HEARING DATE:	March 23, 2011
SPONSORS:	Delegate Myers
POSITION:	Informational

House Bill 1314 modifies the definition of “public service company” in the Public Utilities Article to exclude campgrounds that provide utility service to campers “incident to” the primary business of operating and maintaining the campground.

The Office of People's Counsel assumes that this bill was prompted by a recent case heard by the Public Service Commission concerning water and sewer rates set by a campground in Allegany County. Last year, certain lot owners and residents of a campground filed a request with the Commission to determine whether the water and sewage rates set by the campground are subject to the Commission's jurisdiction. In a detailed letter order, the Commission found that the provision of water and sewer services were incidental to the operation of the campground, and therefore that the campground does *not* qualify as a public service company. The Commission made clear that its determination whether a

campground is a public service company subject to PSC oversight is based on the specific facts of the operation of a particular campground. As OPC understands it, the Commission has stated that a business will not be deemed a public service company if the provision of utility services are “incidental to” its business operations. House Bill 1314 basically modifies the PUA to incorporate that Commission ruling.